**Section 300.1110 Subpoenas for Investigation and Testimony at Hearing**

a) The Department may issue an administrative subpoena to compel the attendance of a witness and/or the production of documents upon the Department's determination that the information to be produced by a subpoena is necessary and relevant to the Department's adjudication of the claim and cannot be obtained by any other reasonable means. The parties may also request that subpoenas be issued for documents and testimony at hearing.

b) Application by a party for a subpoena may be made ex parte and the party requesting the subpoena shall be responsible for service. The subpoena shall on its face show the name and address of the party at whose request the subpoena was issued. Service may be made by personal delivery, certified mail with return receipt signed by the person or its agent, U.S. regular mail, postage prepaid, or private carrier.

c) If a party or organization within control of a party fails to obey a subpoena and the ALJ finds the subpoena to have been validly served and the material requested to be relevant and material, the ALJ may impose such sanctions as are appropriate, including, but not limited to, prohibiting testimony by the party who has refused to comply on the subject matter encompassed by the subpoena, drawing an adverse inference against the party refusing to comply, or allowing the evidence required by the subpoena but not produced as establishing the truth of the position of the party who subpoenaed the documents. If a non-party fails to obey a subpoena, the party seeking enforcement shall be responsible for preparing an application for enforcement and filing in a court of appropriate jurisdiction.

(Source: Amended at 38 Ill. Reg. 18517, effective August 22, 2014)